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## OVERVIEW

The Child Abuse and Neglect Registry (CA/NCR) contains a list of individuals who were identified as a perpetrator in a central registry case. Confirmed cases of child abuse and/or neglect resulting in central registry placement require notification to the identified perpetrator. Confirmed cases of child abuse and/or neglect that do not result in central registry placement also require notification to the identified perpetrator.

## Definitions

### ***Confirmed Case***

The department has determined, by a preponderance of evidence, that child abuse or child neglect occurred by a person responsible for the child's health, welfare, or care. If the case is not confirmed for methamphetamine production, serious abuse or serious neglect, sexual abuse, or sexual exploitation, it does not require central registry placement.

### ***Central Registry Case***

The department confirmed that a person responsible for the child's health or welfare committed serious abuse or neglect, sexual abuse, sexual exploitation of a child, or allowed a child to be exposed to or have contact with methamphetamine production.

The central registry contains a repository of names of individuals who are identified as perpetrators in a central registry case in the department's statewide electronic case management system. The registry includes:

- Individuals who have been given appropriate notification, identified by a date in the due process (DP) box, their names were placed on central registry.
- Individuals placed on central registry but who the department cannot verify the individual received appropriate notification.
- Individuals referred to the department by a convicting criminal court following an order of conviction for a violation of section 136b of the Michigan Penal Code, involving a minor victim, and any conviction involving the death of a child.

**Note:** Individuals that need to be placed on or removed from central registry as a result of a criminal conviction will be addressed by Children's Protective Services (CPS) program office.

## ADDING A PERPETRATOR TO CENTRAL REGISTRY AND PERPETRATOR NOTIFICATION PROCEDURES

### Central Registry Placement

**Known** perpetrators cannot be placed on central registry with an estimated birthdate. The perpetrator's proper/legal name and actual birthdate must be used. If the perpetrator is unknown and the case is kept open for services, attempts must continue to be made to identify the perpetrator. If the unknown perpetrator is identified, their name must be placed on central registry.

#### ***New Investigation Perpetrator Must Be Added on Central Registry***

The perpetrator is automatically added to central registry following supervisory approval of the investigation in the electronic case management record. Once the perpetrator is added to central registry, the perpetrator notification letter must be generated and saved. The DP date must be added by the caseworker. See *Perpetrator Notification Requirements and Timeframes* section regarding detailed notification requirements.

#### ***Investigations with Prior Central Registry (No DP Date) Listing***

When a new CPS investigation begins and the required central registry inquiry reveals that any member of the new CPS investigation is a perpetrator listed on central registry with no DP date, the local office conducting the new investigation must, at the completion of the investigation, provide notice to the perpetrator(s) of their placement on central registry. See *Perpetrator Notification Requirements and Timeframes* below in this policy item.

**Note:** If the individual has been expunged from central registry, do not add a due process date.

## Perpetrator Notification Requirements and Timeframes

### ***Placement on Central Registry Notification***

Notification to the perpetrator being placed on central registry must be completed and documented by using the DHS-847a, *Perpetrator Notification* letter, in the electronic case management record. This notice must be sent by registered or certified mail, return receipt requested, and delivery restricted to the addressee within 30 calendar days after the classification of a confirmed central registry case. If the notification is returned “refused” or otherwise undeliverable, the envelope and receipt must be uploaded to the electronic case record.

Perpetrator notification of placement on central registry requires formal, documented notification to the individual, which includes the following:

- The individual has been identified as a perpetrator of confirmed serious abuse or neglect, confirmed sexual abuse, confirmed sexual exploitation, or a confirmed case of methamphetamine production.
- The right to review the file; see [SRM 131, Confidentiality](#), for more information on what information can be released from the CPS file.
- The record may be released under MCL 722.627d.
- The right to request amendment or expunction of the report or record; see [PSM 717-2, Amendment or Expunction](#), for more information on these requests.

These requirements are met when notice is provided to the perpetrator using the DHS-847a, *Perpetrator Notification* letter, in the electronic case management record along with confirmation of receipt.

### ***Confirmed Cases: No Placement on Central Registry Notification***

Notification to perpetrators of confirmed cases of abuse or neglect, who are not required to be placed on central registry, must be completed within 30 calendar days after the classification of a

confirmed case and documented using the DHS-847c, *Notice of a Confirmed Case* letter in the electronic case management record. This notice must be sent by first-class mail to the identified perpetrator.

The notification letter for perpetrators of confirmed cases that do not require central registry placement includes all the following:

- The individual has been identified as a perpetrator of confirmed abuse or neglect.
- The right to review the file; see [SRM 131, Confidentiality](#), for more information on what information can be released from the CPS file.
- The right to request amendment of the record; see [PSM 717-2, Amendment or Expunction](#), for more information on these requests.
- The record may be released under MCL 722.627d.
- Potential impact to future employment or licensing opportunities.

### Minor Perpetrators

If the minor perpetrator is not emancipated, copies of the notification letter must be delivered to both the minor parent and to the minor's parent or legal guardian; see *Perpetrator Notification Requirements and Timeframes* above.

### AMENDMENT AND EXPUNCTION

An individual who is the subject of a report or record made may request the department amend or expunge an inaccurate report or record from the central registry and/or local office file. See [PSM 717-2, Amendment or Expunction](#), and [PSM 717-3, Administrative Hearing Procedures](#), for more information on amendments and expunctions. See [SRM 131, Confidentiality](#), for more information on what information can be released from the CPS file.

If the investigation of a report conducted under MCL 722.627j does not show serious abuse or neglect, sexual abuse, sexual exploitation, or methamphetamine production by a preponderance of the evidence, or if a court dismisses a petition based on the merits of the petition filed under section 2(b) of chapter XIA of the

probate code of 1939, 1939 PA 288, MCL 712A.2, because the petitioner has failed to establish, or a court has failed to find, that the child comes within the jurisdiction of the court following an adjudication hearing, the information identifying the subject of the report must be expunged from the central registry after a party has exhausted all appellate remedies and an appellate review does not find that the child is within the jurisdiction of the court.

**Note:** This section does not apply to individuals for which the court has entered an order of conviction.

**Note:** A court must find and dismiss a petition on jurisdiction for the department to remove the petitioner from the Central Registry. Other reasons for the dismissal of a case that does not involve the court dismissing on the merits do not result in removal from the Central Registry.

## CENTRAL REGISTRY CLEARANCES

Central registry records are accessed by completing a query in the central registry module in the electronic case management system.

Whenever department staff complete a central registry clearance and identify a perpetrator listed on central registry with no DP date, and the address of the perpetrator is known, that staff must notify the local office CPS unit where the case was last entered on central registry.

If a local office receives notice that the perpetrator is listed on central registry with no DP date, or the department staff completing the central registry clearance is the local office where the case was last entered on central registry, that local office must provide notice to the perpetrator if the perpetrator's address is known and add the DP date to central registry.

See the *Perpetrator Notification Requirements and Timeframes* section above regarding the requirements and timeframes for delivering the Perpetrator Notification letter to the perpetrator.

**Note:** If the central registry placement was a result of a criminal conviction and there is no DP date, please contact the Child Welfare Policy Mailbox ([Child-Welfare-Policy@michigan.gov](mailto:Child-Welfare-Policy@michigan.gov)).

**POLICY CONTACT**

Questions about this policy item may be directed to the [Child Welfare Policy Mailbox \(Child-Welfare-Policy@michigan.gov\)](mailto:Child-Welfare-Policy@michigan.gov).